

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/688,561  
Confirmation No.: 2403  
First-Named Inventor: David W. Burke et al.  
Filing Date: October 17, 2003  
Group Art Unit: 1797  
Examiner: Arlen Soderquist  
Attorney Docket No.: 007404-000556  
Title: SYSTEM AND METHOD FOR DETERMINING AN ABUSED  
SENSOR DURING ANALYTE MEASUREMENT

**AMENDMENT AND RESPONSE UNDER 37 CFR 1.111(a)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Office Action dated February 22, 2008, please consider the following remarks. It is believed that no fees are due, but if fees are deemed to be due, the Commissioner is authorized to charge such fees to Deposit Account No. 23-3030, but not to include the payment of any issue fee.